REMARKS

Claims 1-12 are presently in the application. The above amendments are being made to place the application in better condition for examination.

The drawings have been objected to for not showing the pedal lever (2) retained rotatably in the bearing face (82). According to the current amendment, claim 1 recites that the pedal lever (2) is retained rotatably ***on*** the bearing face (82), as shown in the drawings.

Claims 1-12 have been rejected under 35 USC 112 first paragraph for not enabling the pedal to be retained rotatably in the bearing face (82). Amended claim 1 recites that the pedal lever (2) is retained rotatably *on* the bearing face (82), as described in the specification.

Claims 1-12 have been rejected under 35 USC 112 second paragraph for including the indefinite phrase "in particular." The phrase has been deleted as suggested by the examiner.

Claims 1 and 2 have been rejected under 35 USC 102(b) as being anticipated by US Patent No. 5,295,409 to Byram et al.

Claim 1 is directed to an accelerator pedal module (1) for controlling the power of a driving engine comprising,

a bearing block (4) embodied as a one-piece molded part comprising a bearing region having a bearing bore (98) and at least one bearing face (82),

a pedal lever (2) retained rotatably **on** said at least one bearing face (82) and being coaxial with a pivot axis (20) on the bearing block (4),

a rotation sensor (102) having a sensor shaft (100) actuated by the pedal lever (2), the sensor shaft being coaxial with the pivot axis (20), and

at least a part (104) of the sensor shaft (100) being directly supported rotatably in the bearing bore (98) of the bearing region of the bearing block (4), wherein at least part of a radial surface of said bearing region forms said at least one bearing face (82) for the pedal lever (2) **and wherein said at least one bearing face (82) faces radially outward from the pivot axis (20)**.

Byram et al is relied upon by the examiner for showing bearing block 65b, pedal lever 14, rotation sensor 34b, sensor shaft 12b, hollow peg 70b, and in particular a bearing region (area holding bearing 25b), bearing bore (hole housing shaft 12b and bearing 25b) and bearing face (contact between bearing 25b and bore).

Byram et al differs from the present invention because in Byram et al the bearing region of housing 65b, the bearing bore, and the bearing surface appear to be one and the same surface. Claim 1 requires that the bearing block comprise a bearing bore and at least on bearing face. Claim 1 also requires the pedal lever to be retained rotatably on the bearing face, which Byram et al lacks. Claims 1 and 2 have been further distinguished over Byram et al by the recited *at least one bearing face (82) faces radially outward from the pivot axis (20)*. As such, Byram et al does not anticipate claims 1-2 and accordingly reconsideration of the rejection is earnestly requested.

Applicant appreciates the indication of allowable subject matter. Claims 3-12 have been objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form. Claim 3 in has been rewritten in independent form, therefore allowance of claims 3-12 is respectfully requested. However, to be accurate in representing

the subject matter, "a plurality of partly cylindrical bearing faces" has been changed to *at least one additional partly cylindrical outer surface*.

Entry of the amendment is earnestly solicited and allowance of claims 1-12 respectfully requested.

Respectfully submitted,

Ronald E. Greigg
Registration No. 31,517
Attorney for Applicant
CUSTOMER NO. 02119

GREIGG & GREIGG, P.L.L.C.
1423 Powhatan Street, Suite One
Alexandria, VA 22314
Telephone: (703) 838-5500
Facsimile: (703) 838-5554

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